

# **RULES AND REGULATIONS**

**2 VAC 5-205-10 through 2 VAC 5-205-110**

Pertaining to

## **SHOOTING ENCLOSURES**

Virginia Department of Agriculture  
and Consumer Services

**DIVISION OF ANIMAL INDUSTRY SERVICES**

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**RULES AND REGULATIONS**

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SHOOTING ENCLOSURES**

Promulgated Pursuant to

Sections 3.1-763.5:5

of the

Code of Virginia of 1950

Effective July 8, 1998

## **RULES and REGULATIONS**

### **Pertaining to SHOOTING ENCLOSURES**

#### **2 VAC 5-205-10 through 2 VAC 5-205-110**

Pursuant to the authority in Section 3.1-763.5:5 of the Code of Virginia (1950) as amended, the Board of Agriculture and Consumer Services hereby adopts the following Rules and Regulations Pertaining to Shooting Enclosures.

#### **2 VAC 5-205-10. Definitions.**

*"Accredited veterinarian"* means a licensed veterinarian approved by the United States Department of Agriculture (USDA) and the State Veterinarian to perform functions required by cooperative state-federal disease control and eradication programs.

*"Approved laboratory"* means a laboratory approved by the USDA or the State Veterinarian to conduct official brucellosis, tuberculosis and pseudorabies tests.

*"Brucellosis"* means the contagious disease of livestock and other animals caused by the bacteria of the genus *Brucella*, also known as Bang's Disease.

*"Brucellosis test"* means any official test for the diagnosis of brucellosis approved by the USDA and conducted in an approved laboratory.

*"Certificate of Veterinary Inspection"* means a written record of an animal's health status meeting the requirements of this chapter, executed on a form approved by the chief animal health official of an animal's state of origin.

*"Pseudorabies"* means the contagious, infectious, and communicable viral disease of livestock and other animals, also known as "Aujeszky's disease," "mad itch," or "infectious bulbar paralysis."

*"Pseudorabies test"* means any official test for the diagnosis of pseudorabies approved by the USDA conducted in an approved laboratory.

*"Shooting enclosure "* means a fenced area open commercially to the public where animals are held for the purpose of being shot.

*"Tuberculin test"* means any official test for the diagnosis of tuberculosis approved by the USDA and performed by accredited veterinarians and approved laboratories.

*"Tuberculosis"* means the infectious disease caused by the pathogenic acid-fast bacilli *Mycobacterium bovis*.

**2 VAC 5-205-20. General provisions.**

- A. Persons holding animals listed in subsection G of this section in Virginia for the purpose of recreational shooting must make application for and obtain an annual shooting enclosure license from the Virginia Department of Agriculture and Consumer Services (VDACS). A topographic map showing the boundaries of the fenced shooting enclosure and a contingency plan that they are capable of executing, specifying how they will eradicate and control any disease outbreak or recover escaped animals must accompany the application for a license.
- B. Applicants must state on the application that the shooting enclosure complies with all county and city ordinances and statutes.
- C. No license shall be issued without prior inspection and approval from a representative of VDACS. The applicant must contact the regional veterinary supervisor in the respective region to schedule an appointment for the inspection.
- D. A one time application fee plus an annual license fee as set forth in §3.1-763.5:4 of the Code of Virginia will be required of each licensee.
- E. Operators of a shooting enclosure shall be liable for all costs incurred by any person, city, county, the Commonwealth of Virginia or federal government, resulting from escape of animals or disease eradication or control efforts resulting from animals confined to or escaped from the shooting enclosure.
- F. Operators of shooting enclosures must notify the VDACS Regional Veterinary Supervisor within 24 hours of first discovering a diseased, dead, or escaped animal, and the carcass must be submitted to the nearest VDACS regional laboratory for necropsy.
- G. Animals allowed under a shooting enclosure permit are restricted to the following:
  - 1. Goats: Ibex (*Capra ibex*), Iranian Ibex (*C. hircus*), Angora (*C. hircus*);
  - 2. Sheep: Four-horned or Jacob's (*Ovis aries*), Black Hawaiian (*O. musimon*), Corsican (*O. corsican*), Merino (*O. aries*), Mouflon (*O. musimon*); and
  - 3. Swine: Swine (*Sus scrofa*).
- H. A shooting enclosure shall have a minimum of 100 adjoining acres. The applicant shall own or have the area under written lease. Shooting enclosures not contiguous with each other shall be operated under separate licenses.

**2 VAC 5-205-30. Weapons.**

Weapons used to take animals on shooting enclosures shall comply with ordinances of the county in which the shooting enclosure is located.

**2 VAC 5-205-40. Inspection requirements relating to shooting enclosures.**

- A. Operators of shooting enclosures must allow inspection of their facilities, animals, and records by the State Veterinarian or his designated representative at any reasonable time.
- B. Upon observing or having reason to believe that shooting enclosure animals are diseased or have been exposed to an infectious disease, the State Veterinarian or his designated representative may require inspection of the affected animals by an accredited veterinarian licensed in Virginia. Such inspections will be at the licensee's expense. A report by said veterinarian, regarding health and welfare of animals inspected under this provision, will be submitted to the State Veterinarian's Office.

**2 VAC 5-205-50. Fencing.**

The shooting enclosure shall be enclosed with a fence around the entire perimeter of the facility. The fence shall be maintained in good condition at all times and be so constructed to prevent the escape of animals being held inside the enclosure.

**2 VAC 5-205-60. Shelter and humane care.**

- A. The shooting enclosure operator shall provide adequate shelter for all animals within the facility so as to provide protection from sunlight and inclement weather. The shelter provided may be artificial or natural, and shall cover at least 15% of the surface acreage of the enclosure.
- B. Each animal within the enclosure shall be provided at all times with adequate food and water, in sufficient quantity and quality, so as to maintain good health.

**2 VAC 5-205-70. Health requirements.**

- A. The animals shipped to a shooting enclosure must be accompanied by a certificate of veterinary inspection, which shall:
  - 1. Be issued by: (i) an accredited veterinarian; or (ii) a veterinarian in the employ of the Veterinary Services Division, Animal and Plant Health Inspection Service, USDA; or (iii) other veterinarian approved by the State Veterinarian;
  - 2. Contain: (i) the name and complete address of the consignor; (ii) the name and complete address of the consignee; (iii) the complete address of the animal's destination; (iv) the results of every veterinary-medical test and every observation as to the animal's health required by this chapter of the animal to be shipped, the date the test was performed and results of the test; and
  - 3. Be attached to the shipment's waybill or be in the possession of the person carrying the animal.

The licensee is responsible for keeping certificates of veterinary inspection, records of dates and types of disease testing, cause of death, and disposition for each animal.

Records will be identified by animal ear or belly tag number. All records shall be retained for the period of ownership of the animal and for three years after disposition. Unless otherwise provided in this chapter, no certificate of veterinary inspection shall have effect more than 30 days after it is issued. No person may use an expired certificate of veterinary inspection to ship an animal.

- B. In addition to any penalties authorized by law or the violation of this chapter, any person shipping an animal in violation of this chapter shall be subject to having the animal quarantined by the State Veterinarian or his designated representative and, at the owner's expense:
1. Returned to the state of origin under permit;
  2. Sent under permit directly to slaughter;
  3. Destroyed;
  4. Tested until the animal complies with requirements of this chapter for shipment; or
  5. Disposed of by means necessary or appropriate, in the State Veterinarian's judgment, to protect the health of livestock the State Veterinarian is charged with protecting.

**2 VAC 5-205-80. Shooting enclosure operations.**

- A. All shooting enclosures must have adequate capture and holding facilities suitable for handling and restraining the species on site.
- B. All shooting enclosures must dispose of carcasses and offal resulting from the normal operation of the preserve in accordance with state and local ordinances. Carcasses and offal cannot be used as feed or feed supplements for animals held by the enclosure.
- C. In cases of disease outbreaks, testing, depopulation, cleaning and disinfecting costs associated with the disease eradication will be borne by the shooting enclosure operator.

**2 VAC 5-205-90. Common carriers; trucks.**

Any person who is a common carrier or who owns any conveyance carrying any animal governed by this chapter shall keep the vehicle in a sanitary condition, and shall, when required by the State Veterinarian or his designated representative, clean and disinfect his vehicle as required.

**2 VAC 5-205-100. Health requirements of animals to be held.**

- A. Sheep.  
No shooting enclosure may receive any sheep unless the sheep originates directly from a state officially designated scabies-free by the United States Department of Agriculture and has been tested negative to malignant catarrhal fever test (wildebeest type) conducted in a state or federal laboratory within 30 days prior to entering the Commonwealth.
- B. Goats.

No shooting enclosure may receive any goat unless the goat:

1. Originates directly from a herd in which all goats were negative to a tuberculin test no more than 12 months before the goat enters the Commonwealth, or is individually tested and found negative to a tuberculin test no more than 30 days prior to entering the Commonwealth;
2. Originates directly from a herd in which all goats were negative to a brucellosis test within 12 months prior to the goat's entering the Commonwealth, or is individually tested and found negative to a brucellosis test within 30 days prior to entering the Commonwealth; and
3. The goat is free of clinical signs of caseous lymphadenitis. "Clinical signs," with reference to caseous lymphadenitis, means abscesses of the lymph nodes, whether draining or not.

C. Swine.

No shooting enclosure may receive any swine unless the swine meet the following requirements.

1. Brucellosis
  - a. No shooting enclosure may receive any swine over four months of age unless the swine:
    - (1) Originates from an officially validated brucellosis-free herd;
    - (2) Originates from a herd in which all swine over four months of age were negative to a brucellosis test conducted in a state or federal laboratory within 12 months prior to the date of entering Virginia; or
    - (3) Has been individually tested and found negative to a brucellosis test conducted in a state or federal laboratory within 30 days prior to entering the Commonwealth.
      - (a) The certificate of veterinary inspection on the swine shall indicate the official herd status or the negative test.
2. Pseudorabies
  - a. No shooting enclosure may receive any swine that have been vaccinated against pseudorabies.
  - b. No shooting enclosure may receive any swine unless the swine are identified by ear tag and:
    - (1) Originate directly from a pseudorabies monitored herd;
    - (2) Originate directly from a qualified pseudorabies negative herd; or
    - (3) Have been individually tested and found negative to a test for pseudorabies within 30 days prior to entering Virginia.

**2 VAC 5-205-110. Suspension or revocation of license .**

The Department may revoke or suspend a license for failure to comply with provisions of the license or this chapter.